

|  |            |                              |
|--|------------|------------------------------|
| FORM PTO-1449  | SEARCH NO. | CASE NO.                     |
| APR 08 2004<br>PATENT & TRADEMARK OFFICE   |            | 10/628,319<br>33-944         |
| LIST OF PATENTS AND PUBLICATIONS FOR<br>APPLICANT'S INFORMATION DISCLOSURE<br>STATEMENT<br>(use several sheets if necessary) |            | FILING DATE<br>July 28, 2003 |
| GROUP ART UNIT<br>3611<br>APPLICANT(S): Leonhardt, et al.  |            |                              |

| REFERENCE DESIGNATION |   | U.S. PATENT DOCUMENTS |                      |                 |             |
|-----------------------|---|-----------------------|----------------------|-----------------|-------------|
| EXAMINER INITIAL      | DOCUMENT NUMBER<br><small>Number Kind Code (if known)</small> | DATE                  | NAME                 | CLASS/ SUBCLASS | FILING DATE |
|                       | A1 3,506,295  | 04/1970               | YANCEY               |                 |             |
|                       | A2 3,674,115  | 07/1972               | YOUNG ET AL.         |                 |             |
|                       | A3 3,757,562  | 09/1973               | GOLDBERG ET AL.      |                 |             |
|                       | A4 3,930,665  | 01/1976               | IKAWA                |                 |             |
|                       | A5 3,944,187  | 03/1976               | WALKER               |                 |             |
|                       | A6 3,972,390  | 08/1976               | MELTON ET AL.        |                 |             |
|                       | A7 4,008,915  | 02/1977               | WALKER               |                 |             |
|                       | A8 4,190,275  | 02/1980               | MLETI                |                 |             |
|                       | A9 4,204,659  | 05/1980               | PHILLIPS ET AL.      |                 |             |
|                       | A10 4,221,413   | 09/1980               | BONNETAIN            |                 |             |
|                       | A11 4,227,593   | 10/1980               | BRICMONT ET AL.      |                 |             |
|                       | A12 4,352,484   | 10/1982               | GERTZ ET AL.         |                 |             |
|                       | A13 4,407,484   | 10/1983               | MEINZER              |                 |             |
|                       | A14 4,413,856   | 11/1983               | MCMAHAN ET AL.       |                 |             |
|                       | A15 4,452,431   | 06/1984               | STEPHENS ET AL.      |                 |             |
|                       | A16 4,635,981   | 01/1987               | FRITON               |                 |             |
|                       | A17 4,655,434   | 04/1987               | BRONSTAD             |                 |             |
|                       | A18 4,658,941   | 04/1987               | GOTZWALD ET AL.      |                 |             |
|                       | A19 4,674,911   | 06/1987               | GERTZ                |                 |             |
|                       | A20 4,711,481   | 12/1987               | KRAGE ET AL.         |                 |             |
|                       | A21 4,770,420   | 09/1988               | GOTZWALD ET AL.      |                 |             |
|                       | A22 5,052,732   | 10/1991               | OPLET ET AL.         |                 |             |
|                       | A23 5,123,775   | 06/1992               | BRYANT               |                 |             |
|                       | A24 5,199,755   | 04/1993               | GERTZ                |                 |             |
|                       | A25 5,248,129   | 09/1993               | GERTZ                |                 |             |
|                       | A26 5,403,112   | 04/1995               | CARNEY, III          |                 |             |
|                       | A27 5,403,113   | 04/1995               | GERTZ ET AL.         |                 |             |
|                       | A28 5,551,796   | 09/1996               | ANDERSON, JR. ET AL. |                 |             |
|                       | A29 5,577,861   | 11/1996               | OBERTH ET AL.        |                 |             |
|                       | A30 5,642,792   | 07/1997               | JUNE                 |                 |             |
|                       | A31 5,697,657   | 12/1997               | UNRATH, SR.          |                 |             |
|                       | A32 5,797,592   | 08/1998               | MACHADO              |                 |             |
|                       | A33 5,823,584   | 10/1998               | CARNEY, III          |                 |             |
|                       | A34 5,851,005   | 12/1998               | MULLER ET AL.        |                 |             |
|                       | A35 5,868,521   | 02/1999               | OBERTH ET AL.        |                 |             |
|                       | A36 5,947,452   | 09/1999               | ALBRITTON            |                 |             |

|                                  |                                 |
|----------------------------------|---------------------------------|
| EXAMINER <i>Leonhardt et al.</i> | DATE CONSIDERED <i>11/19/04</i> |
|----------------------------------|---------------------------------|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609;  
 Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

|  |   |                                 |                        |
|--|---|---------------------------------|------------------------|
| FORM PTO-1449  | APR 08 2004<br>SEARCHED<br>INDEXED<br>SERIALIZED<br>FILED<br>USPTO<br>SEARCHED<br>INDEXED<br>SERIALIZED<br>FILED<br>USPTO | SERIAL NO.<br>10/628,319        | CASE NO.<br>33-944     |
| LIST OF PATENTS AND PUBLICATIONS FOR<br>APPLICANT'S INFORMATION DISCLOSURE STATEMENT |   | FILING DATE<br>July 28, 2003    | GROUP ART UNIT<br>3611 |
| (use several sheets if necessary)  |   | APPLICANT(S): Leonhardt, et al. |                        |

## REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER<br>Number-Kind Code (if known) | DATE    | NAME             | CLASS/ SUBCLASS | FILING DATE |
|------------------|--|---------|------------------|-----------------|-------------|
| <i>hj</i>        | A37 6,024,341                                  | 02/2000 | GERTZ            |                 |             |
| <i>hj</i>        | A38 6,092,959                                  | 07/2000 | LEONHARDT ET AL. |                 |             |
| <i>hj</i>        | A39 6,098,767                                  | 08/2000 | UNRATH           |                 |             |
| <i>hj</i>        | A40 6,116,805                                  | 09/2000 | GERTZ            |                 |             |
|                  | A41 6,183,042 B1                               | 02/2001 | UNRATH           |                 |             |
|                  | A42 6,186,565 B1                               | 02/2001 | UNRATH           |                 |             |
|                  | A43 6,203,079 B1                               | 03/2001 | BREED            |                 |             |
|                  | A44 6,244,637 B1                               | 06/2001 | LEONHARDT ET AL. |                 |             |
| <i>hj</i>        | A45 6,581,992 B1                               | 06/2003 | GERTZ            |                 |             |

## FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER<br>Number-Kind Code (if known) | DATE    | COUNTRY       | CLASS/ SUBCLASS | TRANSLATION YES OR NO |
|------------------|--|---------|---------------|-----------------|-----------------------|
| <i>hj</i>        | A46 GB 2 286 160 A                             | 08/1995 | Great Britain |                 |                       |
| <i>hj</i>        | A47 WO 94/05527 A1                             | 03/1994 | PCT           |                 |                       |

## EXAMINER INITIAL OTHER ART - NON PATENT LITERATURE DOCUMENTS

(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.

|           |  |
|-----------|--|
| <i>hj</i> | A48 Letter from Lancer Industries Ltd. to M.S. Dreznes, (June 8, 1992).  |
| <i>hj</i> | A49 Copy of New Zealand Provisional Specification, Kenron Trading Limited, Winstone, R., "Improvements In and Relating To Impact Absorption Means," Filed November 11, 1991, 7 pages.  |
| <i>hj</i> | A50 Copy of Media Release and Copies of Photographs of Fold-over TMA, Lancer Industries Limited, "Crashbag to Save Lives on Motorways," December 18, 1991, 7 pages.  |
| <i>hj</i> | A51 Trinity Industries, Inc., Blueprint-MPS 350, Version 1.2, dated 02/2001, 1 page.   |
| <i>hj</i> | A52 Trinity Industries, Inc., "Products - Taking Highway Safety Into the 21st Century!™: MPS-350™", obtained at the internet address < <a href="http://www.highwayguardrail.com/Products%20-%20MPS.html">http://www.highwayguardrail.com/Products%20-%20MPS.html</a> >, on 7/22/2003, 2 pages.   |
| <i>hj</i> | A53 Trinity Industries, Inc., "MPS 350 Mobile Protection System Product Manual – Installation, Operation, Maintenance: An NCHRP Report 350 –TL3 Truck Mounted Attenuator", A Trinity Industries publication, dated April 5, 2001, pp. 1-27, obtained from the Internet at < <a href="http://www.highwayguardrail.com/Products%20-%20MPS.html">http://www.highwayguardrail.com/Products%20-%20MPS.html</a> >, on 07/22/2003, 2 pages. |
| <i>hj</i> | A54 Copies of Photographs 1-4 of truck mounted attenuator used in the U.S. before September 28, 2001, 4 pages.   |
| <i>hj</i> | A55 International Search Report in International Application No. PCT/US02/27863, dated November 6, 2003, 5 pages.  |
| <i>hj</i> | A56 Copies of Photographs of fold-over TMA from Idaho, (June, 2003)(depicted Truck/TMA in public use before 9/28/00), 10 pages.  |

| EXAMINER  | DATE CONSIDERED |
|-----------|-----------------|
| <i>hj</i> | <i>11/19/04</i> |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

|  |             |                              |                        |
|--|-------------|------------------------------|------------------------|
| FORM PTO-1449  | APR 08 2004 | SERIAL NO.<br>10/628,319     | CASE NO.<br>33-944     |
| LIST OF PATENTS AND PUBLICATIONS FOR<br>APPLICANT'S INFORMATION DISCLOSURE<br>STATEMENT<br>(use several sheets if necessary) |             | FILING DATE<br>July 28, 2003 | GROUP ART UNIT<br>3611 |
| APPLICANT(S): Leonhardt, et al.  |             |                              |                        |

|                                  |  |  |  |
|----------------------------------|--|--|--|
| EXAMINER<br>INITIAL<br><i>MJ</i> | OTHER ART - NON PATENT LITERATURE DOCUMENTS<br>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.) |  |  |
| A57                              | Copies of brochure, "The Dumpster TMA (with the 2001 MD Cartridge)," 3 pages, date unknown,  |  |  |

*Answers w/ date 11/19/04*

|                              |                             |
|------------------------------|-----------------------------|
| EXAMINER<br><i>Leonhardt</i> | DATE CONSIDERED<br>11/19/04 |
|------------------------------|-----------------------------|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609;  
 Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.